

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF THE BRONX

-----X
IN THE NAME OF THE PEOPLE OF THE STATE
OF NEW YORK

SEARCH WARRANT


TO ANY POLICE OFFICER OF THE POLICE
DEPARTMENT OF THE CITY OF NEW YORK
-----X

07 427

YOU ARE HEREBY authorized and directed to search the premises at 2244 Creston Avenue, Apartment #6B (clearly marked), Bronx County, New York, entry already having been made, and to seize the following property unlawfully possessed, to wit: marijuana, semi automatic handgun, ammunition and evidence tending to demonstrate that the premises are utilized for the unlawful possession, packaging and sale of marijuana, semi automatic handgun and ammunition to wit: marijuana, semi automatic handgun and other drug paraphernalia and evidence tending to establish ownership of the premises and connect persons found therein to the premises, to wit: personal papers and effects.

This warrant must be executed not more than ten (10) days after the date of its issuance and any property seized pursuant hereto shall be returned and delivered to the Court without unnecessary delay.

Dated: May 19, 2007
Bronx, New York



Judge of the Supreme Court

Judge Tallmer

JULIE CLEARY
OFFICIAL COURT REPORTER

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF THE BRONX

In the Matter

of

AFFIDAVIT

the application of PO Kurt Maier Shield [REDACTED] of the Police Department of the City of New York, for a search warrant authorizing the search of 2244 Creston Avenue, Apartment #6B (Clearly marked) Bronx County, New York.

STATE OF NEW YORK)
) ss.:
COUNTY OF BRONX)

PO Kurt Maier Shield [REDACTED] being duly sworn, deposes and says:

1. I am the applicant herein and am a public servant of the kind specified in CPL Section 690.05(1), my title being a Police Officer.
2. There is reasonable cause to believe that certain property hereinafter described, may be found at the above-described premises.
3. The property referred to, sought to be seized is property unlawfully possessed, to wit: marijuana, semi automatic handgun, ammunition and evidence tending to demonstrate that the premises are utilized for the unlawful possession, packaging and sale of marijuana and semi automatic handgun to wit: marijuana, semi automatic handgun, ammunition and other drug paraphernalia and evidence tending to establish ownership of the premises and connect persons found therein to the premises, to wit: personal papers and effects.

In support of your deponent's assertions as to the existence of reasonable cause, the following facts are offered, based upon personal knowledge as attested to by your deponent:

Deponent states that on May 18, 2007 at approximately 11:00pm at the location of 2244 Creston Avenue, Apartment #6B (Clearly marked), Bronx, New York

(hereinafter referred to as "subject premises") deponent states while on patrol of said subject premise deponent observed a strong odor of marijuana coming from the subject premise. Deponent further states that upon knocking on the door of subject premise, deponent observed a male hispanic known to New York City Police Department as Raul Borbon open said door. Deponent further states that upon opening said door deponent observed based on his training and experience a strong odor of marijuana emanating from inside said subject premise. Deponent further states that deponent observed several large bags of Miracle Grow fertilizer in the foyer of said premise. Deponent further observed several black bags containing stalks of marijuana plants. Deponent states that he further observed mylar sheets taped to the walls and ceiling of said premises. Deponent further observed industrial silver air ducts running the length of living room from the ceiling to the floor. Said air ducts also ran from the bedroom to the living room. Deponent further observed numerous mini pots of dirt in the living room and approximately over 150 potted marijuana plants inside the bedroom of said premise. Deponent further states that he observed numerous books inside said location referring to "How to Grow Marijuana"

Deponent further states that Bordon stated in sum and substance that he believes that there is a semi automatic firearm inside of said location.

Deponent further states that based upon the foregoing observations, members of the New York City Police Department are currently at the premises awaiting the outcome of the present application to search the remainder of the premises.

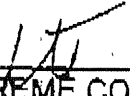
WHEREFORE, I respectfully request that the Court issue a warrant and order of seizure in the form annexed authorizing the search of 2244 Creston Avenue, Apartment #6B (clearly marked), Bronx County, New York.

No previous application in this matter has been made in this Court or any other Court or to any other judge or justice.

Dated: May 19, 2007
Bronx, New York.


Police Officer Kurt Maier
Shield 

Sworn to before me this 19th,
day of May 2007.


JUDGE OF THE SUPREME COURT

Judge Tallman

JULIA CLEARY
OFFICIAL COURT REPORTER